



MONTGOMERY COUNTY ETHICS COMMISSION

Steven Rosen
Chair

Kenita V. Barrow
Vice Chair

October 10, 2016

Waiver 16-10-025

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee must not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver.

Kisha Doye is a School Health Room Technician I in the School Health Services section at the Montgomery County Department of Health and Human Services (DHHS). She requests a waiver of the prohibition of § 19A-12(b)(1)(B) so that she can be employed as a Technician at Suburban Hospital, an entity that contracts with DHHS.

DHHS has contracts with Suburban for services. Ms. Doye's proposed outside employment with Suburban is not funded by nor has any relationship to the contracts DHHS has with the hospital, and her employment with DHHS as a School Health Room Technician I has no relation to the contracts the County has with Suburban.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b). The waiver is conditioned on Ms. Doye finding another technician to handle any Suburban patients who are affiliated with Ms. Doye's assigned school.

In reaching this decision, the Commission has relied upon the facts as presented by Ms. Doye.

For the Commission:

Steven Rosen, Chair

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